

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION AGENDA

Second Floor Davidson Memorial Hearing Room

Wednesday, March 14, 2012, 9:30 a.m.

ACTION ITEMS:

1. Minutes, February 29 and March 7, 2012 Worksessions.

Action: Approved as amended, (SBB/WSB, 4-0/CGT/abstained).

2. **S-1206, Petition of Jean J. and Betty E. Boulín** (private riding stable). Memorandum from Barbara Piczak, Department of Permitting Services (DPS), notifying the Board that the special exception has been abandoned and requesting that it be revoked. Also included is a statement of confirmation from the petitioners.

Action: Revoked special exception as abandoned, (WSB/SBB, 5-0).

3. **S-2638, Petition of Bloom Investments** (private educational institution). Memorandum from Barbara Piczak, DPS, notifying the Board that the special exception was never implemented and requesting that it be revoked for lack of implementation.

Action: Revoked special exception for failure to implement, (CJS/DKP, 5-0).

4. **S-2720, Petition of Jean Szebeni** (accessory apartment). Letter to the Board from Nicola Rivelli requesting a transfer of the special exception.

Action: Granted the transfer of the special exception, (CJS/DKP, 5-0).

5. **S-2721, Petition of Washington Adventist Hospital** (hospital). Letter from Patrick O'Neil notifying the Board of a limited site plan amendment.

Action: Re-opened the record to include Mr. O'Neil's letter with attachments, (DKP/WSB, 5-0).

6. **S-2818, Petition of Twin Farms Club, Inc. and T-Mobile Northeast, LLC** (telecommunications facility). Letter to the Board from Edward Donohue, Esquire, requesting reconsideration.

Action: Denied the request for reconsideration, (DKP/CJS/4-1/WSB).

7. **S-2829, Petition of Lins House LLC** (group home). Letter to the Board from Jason Henderson, Esquire, withdrawing the special exception and requesting a refund of the filing fee. Also included is a memorandum from the Hearing Examiner returning the record.

Action: (1) Re-opened the record to include Mr. Henderson's letter; (2) dismissed the special exception as withdrawn; (3) granted 50% (\$302.50) refund of the filing fee, (DKP/WSB, 5-0).

DECISION:

8. **S-2781, Petition of Gilmore-Brunett LLC** (child day care center). Hearing Examiner's Report and Recommendation.

Action: The Board will make a decision at its next Worksession as the 10-day review period was not met on 3/14/2012.

PENDING ITEMS:

18. **S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (service organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details]. Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/10].
19. **S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (telecommunications facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobil Systems, Inc. [W/S 4/30/2008].
20. **S-2759, Petition of Darnestown Development, LLC t/a Goddard School** (child day care facility). Letter to the Board from Stephen Kaufman, Esquire and Debra Borden, Esquire, requesting a transfer of the special exception and an administrative modification. [Large exhibits: cover sheet, special exception site plan, special exception landscape plan/2 sheets, preliminary subdivision plan]. (1) Granted the transfer of the special exception; (2) deferred the administrative modification request until M-NCPPC's approval of the pending request for revisions to the preliminary plan. [W/S 9/14/2011]. (1) Re-opened the record to include Ms.

Martin's letter; (2) Ms. Martin's request will be deferred until the administrative modification request is taken up by BOA. [W/S 12/7/2011].

PENDING ITEMS (continued):

16. **S-2820, Petition of Fairland Animal Hospital, Inc.** (veterinary hospital). Hearing Examiner's Report and Recommendation. Also included is a letter from Jody Kline, Esquire, requesting oral argument. (1) Granted the request for oral argument. (2) deferred the Hearing Examiner's Report and Recommendation. [W/S 2/29/2012].

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